From:

Denny Dennis

To:

IbarraH@adr.org; Lucy Anderson

Date:

1/7/08 10:48AM

Subject:

RE: AAA No. 75 174 423 07-Please correspondence dated 1/4/08 from Denny Dennis

Not to belabor this issue, but I want to remind everyone that we do not agree that there is an absolute obligation to engage in a mediation under the circumstances of this case. As indicated in my prior letter, we are willing to identify a date in March for possible mediation, but reserve the right to decline to participate in mediation.

Denny M. Dennis

Bradshaw, Fowler, Proctor & Fairgrave, P.C.

801 Grand Avenue, Suite 3700 Des Moines, IA 50309-8004

Phone: (515) 246-5848 Fax: (515) 246-5808

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>>> <lbarraH@adr.org> 01/07/08 07:55AM >>>

Thank you Mr. Maloof. I will obtain dates from the mediator and provide those to you both as soon as possible.

Hilda Ibarra-Medrano Senior Case Manager American Arbitration Association

Phone: 559.490.1878 Fax: 559.490.1919 Email: ibarrah@adr.org

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----Original Message-----

From: David Maloof [mailto:Dmaloof@maloofandbrowne.com]

Sent: Friday, January 04, 2008 3:29 PM

To: Anderson.Lucy@bradshawlaw.com; Hilda Ibarra Subject: RE: AAA No. 75 174 423 07-Please correspondence dated 1/4/08 from Denny Dennis

Ms. Ibarra- we have no problem doing a mediation in March.

We consider that Defendant is bound to mediate and to do so in good faith.

Have a nice weekend.

Sincerely,

David T. Maloof Maloof Browne & Eagan LLC 411 Theodore Fremd Avenue Rye, New York 10580 Telephone (914) 921-1200 Fax (914) 921-1023

E-Mail: dmaloof@maloofandbrowne.com <mailto:dmaloof@maloofandbrowne.com>

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----Original Message----

From: Anderson.Lucy@bradshawlaw.com
[mailto:Anderson.Lucy@bradshawlaw.com]
Sent: Friday, January 04, 2008 6:00 PM
To: IbarraH@adr.org; David Maloof
Subject: AAA No. 75 174 423 07-Please correspondence dated 1/4/08 from Denny Dennis

Lucy C. Anderson Legal Secretary Bradshaw, Fowler, Proctor & Fairgrave, P.C. 801 Grand Avenue, Suite 3700 Des Moines, IA 50309-8004 Phone: (515) 246-5857 Fax: (515) 246-5808

E-Mail: anderson.lucy@bradshawlaw.com

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CC:

dmaloof@maloofandbrowne.com; glenm@annettholdings.com; Todd Strother